MULTIMEDIA UNIVERSITY

STUDENT IDENTIFICATION NO

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# MULTIMEDIA UNIVERSITY

# FINAL EXAMINATION

**T2, 2017/ 2018**

## BYL7134 - CYBERLAW

(MBA Full Time)

7 FEBRUARY 2018
9.00 a.m – 12.00 p.m
(3 Hours)

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**INSTRUCTION TO STUDENTS**

1. This Question paper consists of **THREE (3)** pages including cover page.
2. Answer **ALL FOUR (4)** questions.
3. Marks for each of the questions are given.
4. Please write your answers in the **Answer Booklet** provided.

## QUESTION 1

The Personal Data Protection Act 2010 is an important piece of legislation that will ensure greater protection for Internet consumers. Discuss the relevant provisions of the Act and the significance of those provisions.

**(Total Marks: 25 marks)**

## QUESTION 2

A 19-year-old student at Orange University, Ahmad was charged with using modified peer to-peer software to infect computers and create "botnets" – armies of compromised computers numbering from 10,000 to 15,000 machines – that he exploited to obtain credit card and banking information. He agreed to plead guilty to a charge of unauthorized access to a computer to further a fraud. The case against Ahmad relates to his development of the Tomachi Worm, which he developed to infect computers running the Windows operating system and is the first time a person has been prosecuted for using peer-to-peer software as a delivery mechanism for malicious computer code. Ahmad modified Limewire peer-to-peer software to work as "trojan" software that carried a hidden payload and then posted his modified version of Limewire on the Internet for victims to download. Ahmad also used instant messaging spam to surreptitiously download infected files to victims' computers. After victims downloaded the software, Ahmad gained control of their computers, allowing him to obtain credit card and banking information from the compromised computers. He also used the compromised computers to carry out an Internet attack on an online business in Cyberjaya, Malaysia. The users of those compromised computers were unaware that their computers had been turned into "zombies," they continued to use their computers to engage in online banking and purchases.

Advise the University regarding Ahmad's criminal liabilities arising from his actions by referring to the relevant Malaysia Cyberlaws.

**(Total Marks: 25 marks)**

## QUESTION 3

It is common practice for recipients of email messages to forward those messages to others. Does such forwarding constitute copyright infringement? In your answer be sure to specify which, if any, of the exclusive rights may have been violated by the act of forwarding and what remedies if any, might a successful plaintiff be able to obtain?

**(Total Marks: 25 marks)**

**Continued...**

## QUESTION 4

Nina Weistein found her profile in an online community named "Happycom" on its website Happy.com. Her surprise turned to horror when she realised that the profile painted her as a person of dubious character whose interest was money. The profile also "boasted" of her achievements which included defrauding a bank of RM500,000 and painted her as someone with "loose" moral and getting away with it. She was deeply hurt and hence filed a suit for defamation against "Happycom". With reference to jurisprudence of defamation cases, examine the liability of "Happycom."

**(Total Marks: 25 marks)**

**End of Paper**